

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. DEC 21 1981

Returned to applicant for correction JAN 25 1982

Corrected application filed MAR 15 1982 Map filed MAR 15 1982 under 45148

The applicant TONOPAH PUBLIC UTILITIES

P. O. Box 151 of Tonopah
Street and No. or P.O. Box No. City or Town

Nevada 89049 hereby makes application for permission to change the
State and Zip Code No.

place of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 11172, Certificate No. 2868
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground, Rye Patch Basin, Ralston Valley
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 1.2 c.f.s.
Second feet, acre feet, One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal purposes Tonopah townsite & Airport Complex
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for municipal (commerical and domestic)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T.4N., R.44E., M.D.B.&M., (Well #5) whence the NW Corner of said Section 8 bears N. 80° 58' 20" W., 2,888.67 feet distant, (Well #6) whence the NW Corner of said Section 8 bears N. 80° 21' 38" W., 3,295.57 feet distant, (Well #7) whence the NW Corner of said Section 8 bears N. 86° 06' W., 3,090.00 feet distant.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T.4N., R.44E., M.D.B.&M., (Well #5) whence the N $\frac{1}{4}$ Corner of said Section 8 bears N. 20° 55' W. 385 feet distant, (Well #6) whence the N $\frac{1}{4}$ Corner of said Section 8 bears N. 49° 45' W., 700 feet distant, (Well #7) whence the N $\frac{1}{4}$ Corner of said Section 8 bears N. 72° 35' W., 385 feet distant.
If point of diversion is not changed, do not answer.
7. Proposed place of use See attached Amended place of use
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use See attached Existing place of use
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Works are complete and water is presently being conveyed to place of use by pipelines as indicated
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc. by map in support of this application. (See attached sheet)
12. Estimated cost of works \$20,000.00
13. Estimated time required to construct works Works Complete

14. Estimated time required to complete the application of water to beneficial use one (1) year
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This water source is intended with all other water rights to
serve an estimated equivalent population of 10,000 people.

TONOPAH PUBLIC UTILITIES

By BOARD OF NYE COUNTY COMMISSIONERS

By /s/ Wallace T. Boundy
Wallace T. Boundy; Nye County Surveyor
P. O. Box 242 (Agent)
Tonopah Nevada 89049

Compared vjw/ lmr br/ja

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 11172, Certificate 2868, is issued subject to the terms and conditions imposed in said Permit 11172, Certificate 2868, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 45148, 45149, 45150, 45151 and 45221 shall not exceed 471.81 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.2 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before October 30, 1983

Proof of completion of work shall be filed before November 30, 1983

Application of water to beneficial use shall be made on or before October 30, 1985

Proof of the application of water to beneficial use shall be filed on or before November 30, 1985

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed JUN 1 1984 IN TESTIMONY WHEREOF, I, PETER G. MORROS,

Proof of beneficial use filed DEC 22 1986 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed _____ my office, this 27th day of JUNE,

Certificate No. 12821 Issued MAY 10 1991 A.D. 19 83

Peter G. Morros

State Engineer



7. Proposed place of use: NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 8, N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18 and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T.4N., R.44E., M.D.B.&M.; Portions of S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 31 and the S $\frac{1}{2}$ of Section 31, T.3N., R.44E., M.D.B.&M.; Sections 5, 6, & 8, N $\frac{1}{2}$ and the SW $\frac{1}{4}$ of Section 7, T.2N., R.44E., M.D.B.&M.; S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 35 and the S $\frac{1}{2}$ of Section 35, Portions of the S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 36 and the S $\frac{1}{2}$ of Section 36, Sections 30 and 31, T.3N., R.43E., M.D.B.&M.; Sections 1 and 12, E $\frac{1}{2}$ of Section 2, E $\frac{1}{2}$ of Section 11, T.2N., R.43E., M.D.B.&M.; Sections 1 and 2, T.2N., R.42E., M.D.B.&M.; Sections 25, 26, 27, 35, 36, and the E $\frac{1}{2}$ E $\frac{1}{2}$ and portions of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, N $\frac{1}{2}$ N $\frac{1}{2}$ and portions of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T.3N., R.42E., M.D.B.&M ..

EXISTING PLACE OF USE UNDER PERMIT NO. 11171 & 11172

8. Tonopah Townsite: S $\frac{1}{2}$ of Section 35, S $\frac{1}{2}$ of Section 36, T.3N., R.42E.; N $\frac{1}{2}$ of Section 1, T.2N., R.42E., M.D.B.&M. N $\frac{1}{2}$ of Section 2, T.2N., R.42E., M.D.B.&M..

Airport Complex: Sections 19, 20, 30, 29, 31 & 32, T.3N., R.44E., Section 36, T.3N., R.43E., Sections 5,6,7, & 8 T.2N., R.44E., Section 1, E $\frac{1}{2}$ of Section 12, T.2N., R43E., M.D.B.&M..

11. (con't) The point of diversion does not change but the N $\frac{1}{4}$ Corner of Section 8, which these wells were tied to, no longer exists.